

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

## STEPHEN LOUIS MITCHAM

Case No. 97-CV-03825-LHK

Petitioner,

## JUDGMENT

RON DAVIS, Acting Warden of California  
State Prison at San Quentin,

## Respondent.

17 Pursuant to this Court's Order of May 1, 2015, (ECF Doc. No. 409), and previous Orders in  
18 this matter, the petition for a writ of habeas corpus is GRANTED on the basis of claim D's subclaim  
19 of ineffective assistance of counsel, and petitioner's judgment of conviction and sentence of death  
20 are VACATED. The State of California shall either release or retry petitioner, in compliance with  
21 California state law and the United States Constitution. Petitioner's remaining claims are dismissed  
22 as moot.

23 IT IS SO ORDERED.

25 | DATED: June 1, 2015

Lucy H. Koh  
LUCY H. KOH  
UNITED STATES DISTRICT COURT

Case No. 97-CV-03825-LHK  
JUDGMENT